

REMARKS

A.) Allowable Subject Matter

Applicants wish to thank the Examiner for indicating that claim 5 would be allowable if rewritten in independent form.

B.) The Section 103 Rejections Based on the AAPA and Li

In the Office Action claims 1-4 and 6-14 were once again rejected under 35 U.S.C. §103(a) as being patentable over the Applicants' alleged admitted prior art (AAPA) in view of U.S. Patent No. 5,465,379 to Li et al. ("Li"). Applicants disagree and traverse these rejections for at least the following reasons.

Each of the claims of the present invention includes, among other things, the features of: assigning a link resource for connecting to a neighboring node by using least one predefined sequence to avoid contention associated with the request, wherein the at least one predefined sequence resulted from a negotiation *with a neighboring node* prior to receipt of the request.

In the Office Action the Examiner admits that the AAPA does not disclose the feature "having neighboring nodes negotiate a predefined sequence to assign a link resource." To make up for this deficiency the Examiner relies on Li.

However, it does not appear that Li discloses or suggests the claimed negotiations.

In Li, wavelengths appear to be assigned to sources that are part of a computer system that has been separated into many parts. The sources send information to receivers that are also a part of the system via a "free-space optical network" (i.e., wirelessly). The assignments are made using a 'cyclic permutation'. However, there is no disclosure that the various sources and detectors within Li negotiate with each other to select the cyclic permutations that are carried out

to assign the wavelengths. Nor does Li suggest that any negotiations need to be carried out to assign wavelengths.

In the Office Action the Examiner takes the position that the claims do not specify that the negotiations must be carried out directly between nodes. Thus, the Examiner states that Li's disclosure of an "intermediary member" (e.g., central controller) to carry out routing is a sufficient disclosure of the claimed negotiations. Putting aside the question of whether the claims require a direct negotiation, the claims do include the feature of a "negotiation with [a] neighboring node." In contrast, the central controller or intermediary member in Li does not negotiate with a neighboring node.

Accordingly, because the combination of the AAPA and Li do not disclose or suggest the subject matter of claims 1-4 and 6-14, Applicants respectfully request withdrawal of the pending rejections and allowance of these claims.

C.) Entry of Request for Reconsideration

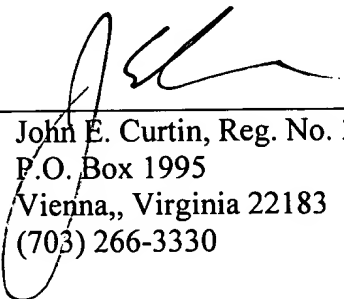
Entry of this Request for Reconsideration ("Request") is solicited because the Request: (a) places the application in condition for allowance for the reasons discussed herein; (b) does not raise any new issues regarding further search and/or; (c) does not present any additional claims without canceling the corresponding number of finally rejected claims; and (d) places the application in better form for appeal, if an appeal is necessary.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact John E. Curtin at the telephone number listed below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 50-3777 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

CAPITOL PATENT & TRADEMARK LAW FIRM, PLLC.

By 
John E. Curtin, Reg. No. 37,602
P.O. Box 1995
Vienna,, Virginia 22183
(703) 266-3330